



11-08-04

1653
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Kunz	Confirmation No.:	1690
Application No.:	09/910,388	Art Unit:	1653
Filed:	July 20, 2001	Examiner:	Robinson, Hope A.
For:	THERAPEUTIC INHIBITOR OF VASCULAR SMOOTH MUSCLE CELLS	Attorney Docket No.:	10177-211-999 (CAM 008563-999208)

STATEMENT OF SUBSTANCE OF INTERVIEW UNDER 37 C.F.R. § 1.133

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.133 and MPEP § 713.04, Attorneys for Applicant submit this Statement of Substance of Interview in connection with the telephonic interview of September 23, 2004 between Examiner Hope Robinson, Examiner Jon Weber, and Attorneys for Applicant Catharina Chin Eng and Ann Chen, and the telephonic interview of September 27, 2004 between Examiner Hope Robinson and Attorneys for Applicant Catharina Chin Eng and Ann Chen in connection with the above-identified application.

At the outset, Attorneys for Applicant thank Examiner Robinson and Examiner Weber for the courtesies extended during the telephonic interviews on September 23, 2004 and September 27, 2004 in connection with the above-identified application.

During the telephonic interview of September 23, 2004, Examiner Robinson and Examiner Weber proposed that Applicant amend the phrase "polymer-containing matrix" in claim 50 to read "polymer matrix" and replace the phrase "locally administering" in claim 55 with the term "release" to bring the application in condition for allowance. Attorneys for Applicant agreed to discuss the proposed amendments with Applicant and provide an appropriate response.

On September 27, 2004, Attorneys for Applicant telephoned Examiner Robinson and indicated that Applicant has agreed to amend the phrase "polymer-containing matrix" in claim 50 to read "polymer matrix". However, Attorneys for Applicant proposed replacing

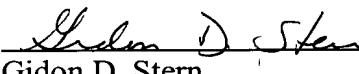
the phrase "locally administering" in claim 55 with the phrase "release of the therapeutic agent from the dosage form". Examiner Robinson agreed to the proposed amendment of claim 55.

During the telephonic interview of September 27, 2004, Attorneys for Applicant also informed Examiner Robinson that Applicant would like to submit additional references in the application. In response, Examiner Robinson indicated that Applicant would have to file a Request for Continued Examination ("RCE") to have the additional references made of record since prosecution in the application has closed and a Notice of Allowance will be issued promptly. Further, Examiner Robinson informed Attorneys for Applicant that the objection to the Information Disclosure Statement which was raised in the Office Action mailed January 28, 2004 was not fully addressed in the Amendment Under 37 C.F.R. § 1.111 filed on June 22, 2004. In particular, Examiner Robinson clarified that the objection required Applicant to provide copies of certain references that are missing from the files of the application. In response, Attorneys for Applicant agreed to re-submit a courtesy copy of these references when filing the RCE.

Attorneys for Applicant respectfully request entry of the foregoing remarks into the file history of the above-identified application. It is believed that no fee is due in connection with this Statement; however, in the event any fee is required, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: November 4, 2004

 27,469
Gidon D. Stern (Reg. No.)

By:

 42,412
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